

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THELONIOUS MONK, JR.,

Plaintiff,

v.

NORTH COAST BREWING CO. INC.,

Defendant.

Case No.17-cv-05015-HSG

**ORDER DENYING PLAINTIFF'S
MOTION FOR AN EXTENSION OF
TIME; MODIFYING BRIEFING
SCHEDULE**

Re: Dkt. No. 106

On August 12, 2018, Plaintiff Thelonious Monk, Jr. filed a motion seeking additional time to file an opposition brief to Defendant North Coast Brewing Co.'s motion for summary judgment. Dkt. No. 106 ("Mot."). Defendant opposed the motion the following day. Dkt. No. 107 ("Opp."). A district court may, in its discretion, extend a deadline "for good cause." *Tindell v. First Solar Inc.*, 892 F.3d 1043, 1048 (9th Cir. 2018) (citing Fed. R. Civ. P. 6(b)(1)(A)). The Court finds that Plaintiff has failed to show good cause in these circumstances, where Defendant filed a motion within the page limit set out in the Civil Local Rules by the deadline to which the parties stipulated several months ago.¹

In any event, Defendant has agreed to allow Plaintiff "up to a four-day extension" to file his opposition (and to modify the reply brief deadline accordingly). Opp. at 4 n.3. The Court therefore **DENIES** Plaintiff's motion for an extension of time, and **MODIFIES** the briefing schedule for Defendant's motion for summary judgment (and the *Daubert* motion) as follows: Plaintiff's opposition brief is due no later than August 21, 2018, and Defendant's reply brief is due

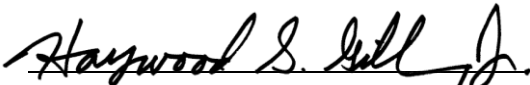
¹ Moreover, there appears to be some inconsistency in Plaintiff's representations that an extension is warranted because his lead counsel was recovering from surgery last week *and* because his lead counsel has to prepare for a mediation set to occur this week in an unrelated case. See Mot. at 2-3.

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no later than August 30, 2018. All other pretrial dates—including the September 6, 2018 hearing on the motion—shall remain unchanged.

IT IS SO ORDERED.

Dated: 8/13/2018


HAYWOOD S. GILLIAM, JR.
United States District Judge